

AN ORDINANCE 101889

ACCEPTING THE LOW, QUALIFIED BID OF SHORTY, INC., DBA CHARLIE & COMPANY IN THE AMOUNT OF \$212,222.00 TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE SOUTHSIDE LIONS (EAST) PARK PLAYGROUND PROJECT IN DISTRICT 3; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; AUTHORIZING \$7,751.38 FOR CONSTRUCTION CONTINGENCY, FOR A TOTAL AMOUNT OF \$219,973.38; AUTHORIZING THE APPROPRIATION AND ALLOCATION OF \$196,810.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS, \$8,163.38 FROM REVENUES COLLECTED FOR UDC FEES IN LIEU OF PARK LAND DEDICATION AND \$15,000.00 IN 1999-2004 IN PARK BOND FUNDS; AND PROVIDING FOR PAYMENT.

* * * * *

WHEREAS, the City Council has approved the Southside Lions (East) Park Playground Project as part of the Community Development Block Grant (CDBG) Program; and

WHEREAS, use of 1999-2004 Park Bond Funds and Unified Development Code (UDC) funds have been approved for the funding of the Project; and

WHEREAS, it is the desire of the City to appropriate and allocate CDBG funds in the amount of \$196,810.00, 1999-2004 Park Bond Funds in the amount of \$15,000.00, and UDC funds in the amount of \$8,163.38 for the Project; and

WHEREAS, in connection with said Project, there exists a need to develop a new park playground and a new modular skate park on the eastern section of the park near Pecan Valley Lake; and

WHEREAS, in order to commence performance of such work, it is necessary to accept the low, qualified bid of Shorty, Inc. dba Charlie & Company; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANANTONIO:

SECTION 1. The low, qualified bid of Shorty, Inc. dba Charlie & Company in the amount of \$212,222.00 for the above-described construction work in connection with the

Southside Lions (East) Park Playground Project is hereby accepted. The City Manager or, in her stead, an Assistant City Manager, an Assistant to the City Manager or the Director of the Public Works Department is hereby authorized to execute a standard form public works construction contract for the job. A copy of the contractor's bid is affixed hereto and incorporated herein as Attachment I.

SECTION 2. All other bids received on this Project are rejected upon the occurrence of either the execution of a contract by the low, qualified bidder and deposit of all required bonds and insurance certificates, or the expiration of sixty (60) days from the date of this Ordinance.

SECTION 3. Community Development Block Grant (CDBG) funds in the amount of \$196,810.00, 1999-2004 Park Bond funds in the amount of \$15,000.00, and Unified Development Code (UDC) funds in the amount of \$8,163.38 are hereby authorized to be appropriated and allocated for the construction in connection with the Southside Lions (East) Park Playground Project.

SECTION 4. Funding in the amount of \$212,222.00 is approved and will be encumbered upon issuance of a purchase order and made payable to Shorty, Inc. dba Charlie & Company. Also, funding in the amount of \$7,751.38 is encumbered and approved upon issuance of a purchase order for construction contingency fees.

SECTION 5. Fund Number 28030000, GL Account Number 4501100, Internal Order Number 131000001168, entitled "Southside Lions Park Drainage" is hereby designated for use in accounting for the fiscal transactions in the amount of \$196,810.00 for the CDBG funding portion of this Project.

SECTION 6. Fund Numbers 29088040 and 29088000, GL Account Number 44406119, Internal Order Numbers 22600000382, 226000000396 and 22600000036 are hereby designated for use in accounting for remaining fiscal transactions for this Project.

SECTION 7. The sum of \$212,222.00 in funding is approved and hereby appropriated in said Internal Orders as set out in the detailed budget affixed hereto and incorporated herein for all purposes as Attachment II.

SECTION 8. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 9. This ordinance shall become effective on and after the 25th day of December, 2005.

PASSED AND APPROVED this 15th day of December, 2005.



M A Y O R
PHIL HARDBERGER

ATTEST: Leticia M. Vaut
City Clerk

APPROVED AS TO FORM: Hollis Young
for City Attorney

Agenda Voting Results

Name: 21.

Date: 12/15/05

Time: 04:02:02 PM

Vote Type: Multiple selection

Description: An Ordinance accepting the low, qualified bid of Shorty, Inc., dba Charlie & Company, in the amount of \$212,222.00 to perform construction work in connection with the Southside Lions (East) Park Playground Project in District 3; authorizing the negotiation and execution of a standard construction contract; authorizing \$7,751.38 for construction contingency, for a total amount of \$219,973.38; authorizing the appropriation and allocation of \$196,810.00 in Community Development Block Grant (CDBG) funds, \$8,163.38 from revenues collected for UDC fees in lieu of park land dedication and \$15,000.00 in 1999-2004 in Park Bond funds; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

Section 00300
**BID FORM SUBMITTED TO THE
 CITY OF SAN ANTONIO, TEXAS
 FOR THE CONSTRUCTION OF**

**Southside Lions (East) Park Playground & Skate Plaza
 IN SAN ANTONIO, TEXAS**

The undersigned, as Bidder, declares that the only person or parties interested in this bid as principals are those named herein; that this bid is made without collusion with any other person, firm, corporation; that Bidder has carefully examined the Project Manual and plans therein referred to, and has carefully examined the requirements of the proposed work; and agrees that the Bidder will provide all the necessary machinery, tools, apparatus, and other means of construction, and will do all the work and furnish all the materials called for in the Project Manual and plans in the manner prescribed therein and according to the requirements of the Director of Public Works as therein set forth.

It is understood and agreed that the work is to be completed in full on or before Ninety (90) calendar days.

Accompanying this Bid is a Bid Guaranty in the amount of five Percent (5%) percent of the greatest total amount of the Bid. Said Bid Guaranty, in the form of a Certified or Cashier's Check on a State or National Bank, or Bid Bond, is submitted as a guaranty of the good faith of the Bidder and that the Bidder will execute and enter into a written contract to do the work, if his bid is accepted. The Bidder by submitting this completed form hereby agrees that if he/she fails to execute the written contract and furnish satisfactory bond, within ten (10) calendar days after City Council award, the City of San Antonio shall, in any of such events, be entitled and is hereby given the right to retain said Bid Guaranty as liquidated damages. It is understood that the City of San Antonio reserves the right to reject any and all proposals whenever the City Council deems it in the interest of the City to do so, and also the right to waive any informalities in a bid.

In the event of the award of a contract to the undersigned, the undersigned will execute same on Construction Contract (General Form) and make bond for the full amount of the contract, to secure proper compliance with the terms and provisions of the contract, and to insure and guarantee the work until final completion and acceptance or the end of the guarantee period where so stipulated, and to guarantee payment of all lawful claims for labor performed and materials furnished in the fulfillment of the contract.

The work proposed to be done shall be accepted when fully completed and finished to the entire satisfaction of the Director of Public Works. The undersigned certifies all prices contained in this bid have been carefully checked and are submitted as correct and final.

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Bid Form

The Bidder by submitting this bid acknowledges that they have received
Addenda/Addendum number(s) #1-9/19) #2-9/22) #3-9/28) #4-10/5
#5-10/12) #6-10/14)

The Bidder is:

☐ A sole proprietorship;

☐ A partnership composed of _____

and _____

☒ A corporation chartered under the laws of the State of Texas, acting by its
officers pursuant to its by-laws or a resolution of its Board of Directors.

(Affix Corporate Seal here)

Shorty Inc, dba Charlie + Company
Official Business name

Attest: _____

By: Charles G. Cleary, President
Type or print name/title of representative

By: _____

Signature

Date

I. BASE BID

Amount of Base Bid (Insert Amount in Words and Numbers):

Two hundred Twelve Thousand Two hundred Twenty-Two.00 \$ 212,222.00

II. Alternates

Amount of each Alternates (if applicable) insert in Words and Numbers:

1. Additive Alternate – Amount for all Material, Labor & Equipment to install concrete edger curb
and rubber mulch safety surface for younger children's (2-5 year old) play area.

Sixteen Thousand One hundred four.00 \$ 16,104.-

2. Additive Alternate – Amount for all Material, Labor & Equipment to install younger children (2-
5 year old) play structure in rubber mulch safety surface.

Eleven Thousand Eight hundred Thirty-four.00 \$ 11,834.-

3. Additive Alternate – Amount for all Material, Labor & Equipment to install Sof Tile Playground
Safety Surface over concrete slab at younger children's (2-5 year old) play structure as shown on
plans per square foot.

Seven Thousand Nine hundred Eighty.00 \$ 7,980.-

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Bid Form

4. **Additive Alternate** - Amount for all Material, Labor & Equipment to install concrete slab to receive Sof Tile Safety Surface at younger children's (2-5 year old) play structure as shown on plans per square foot.

EIGHTEEN THOUSAND SIX HUNDRED SIXTY-SIX.⁰⁰/₁₀₀ \$ 18,666.⁰⁰

5. **Additive Alternate** - Amount for all Material, Labor & Equipment to install younger children (2-5 year old) play structure over Sof Tile Safety Surface and concrete slab.

ELEVEN THOUSAND EIGHT HUNDRED THIRTY-FOUR.⁰⁰/₁₀₀ \$ 11,834.⁰⁰

6. **Additive Alternate** - Amount for all Material, Labor & Equipment to install Sof Tile Playground Safety Surface over concrete slab at older children's (5-12 year old) play structure as shown on plans per square foot.

TWENTY-THREE THOUSAND FOUR HUNDRED TWENTY-FOUR.⁰⁰/₁₀₀ \$ 23,424.⁰⁰

7. **Additive Alternate** - Amount for all Material, Labor & Equipment to install concrete slab to receive Sof Tile Safety Surface at older children's (5-12 year old) play structure as shown on plans per square foot.

THIRTY-FIVE THOUSAND THREE HUNDRED EIGHTY.⁰⁰/₁₀₀ \$ 35,380.⁰⁰

8. **Additive Alternate** - Amount for all Material, Labor & Equipment to install older children (5-12 year old) play structure at Sof Tile Safety Surface and concrete slab.

NO CHANGE \$ 0

III. **Unit Prices** Amount of each Unit Price (if applicable) insert in Numbers. Identify with "add" or "deduct" in front of each amount.

1. _____

2. _____

Charlie & Company
Official Name of Company (legal)

(210) 733-3600
Telephone No.

239 Furr Dr.
Address
San Antonio, TX 78201
City, State and Zip Code

(210) 732-0807
Fax No.
charlieandco@shcglobal.net
E-mail Address

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Bid Form

Attachment II

Southside Lions (East) Park Playground
Project 26-00047

<u>Description:</u>	<u>Current Budget:</u>	<u>Revisions:</u>	<u>Revised Budget:</u>
REVENUES:			
30th Year CDBG (\$237,000)	\$40,190.00	\$196,810.00	\$237,000.00
UDC Fee Acct. (29-0880040) (\$2,709.91)	\$0.00	\$2,709.91	\$2,709.91
UDC Fee Acct. (29-088000) (\$5,453.47)	\$0.00	\$5,453.47	\$5,453.47
1999 Park Bond Funds (\$15,000)	<u>\$0.00</u>	<u>\$15,000.00</u>	<u>\$15,000.00</u>
Total:	\$40,190.00	\$219,973.38	\$260,163.38
EXPENDITURES:			
26-00047-01-19-01 Architectural Design Fees	\$28,190.00	\$0.00	\$28,190.00
26-00047-01-19-02 Architectural Design Contingency	\$2,800.00	\$0.00	\$2,800.00
26-00047-01-10 Bid Advertising & Printing Fees	\$1,500.00	\$0.00	\$1,500.00
26-00047-01-19-03 Madatory Project Fees	\$7,700.00	\$0.00	\$7,700.00
26-00047-05-08 Construction Contract	\$0.00	\$212,222.00	\$212,222.00
26-00047-05-07 Construction Contingency	<u>\$0.00</u>	<u>\$7,751.38</u>	<u>\$7,751.38</u>
Total:	\$40,190.00	\$219,973.38	\$260,163.38